

Remarks:

Claims 14 and 19 are pending in this application. Claim 14 has been amended to correct an unintentional clerical error. Specifically, the words “amplifying said” are inserted on line 13 of the claim for context. The Applicants thank the Examiner for her identification of this oversight and respectfully request withdrawal of the objection to this claim. Claim 14 has also been amended by deletion of the last phrase of the claim. The deleted last phrase of claim 14 is now the subject matter of newly added dependent claim 19. No new matter has been added. Claims 1-13 and 15-18 were canceled by a previous amendment.

The Office Action rejects claim 14 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,569,038 to Tubman et al. (hereinafter “Tubman”) in view of U.S. Patent No. 5,466,833 to Miyashita et al. (hereinafter “Miyashita”).

Tubman discloses an acoustical prompt recording system and method that provides optional and controllable song lyric acoustical prompting and music for karaoke participants (abstract, lines 1-3). According to an embodiment of Tubman, the acoustical system includes preparing a multi-track recording in proper time sequence to provide a precedent acoustical prompt.

Tubman fails to teach or suggest at least “a decoder for decoding a bitstream and producing as its output, a digital preferred audio signal and a digital remaining audio signal” as recited in independent claim 14. Tubman does not teach coding or decoding at all. Tubman’s FIG. 1 is a functional block diagram of a recording system according to Tubman. It is readily seen that analog left 12 and right 14 stereo channels, analog vocal channel 16, and an analog microphone channel 18 are input to the system of Tubman. Each of these four analog channels are converted to digital by A/D converters 32. The digital words are then applied to First In First Out Overwriting Memories 34 (FIFO), which simply delay the passage of the digital word from the input to the output of that device. Tubman col. 9:4-25. The output of the FIFOs are applied to D/A converters 36.

Nowhere does Tubman consider “coding” or “decoding” the digital words applied to the FIFO. Likewise, one of skill in the art would not consider analog to digital conversion to be coding. Tubman’s analog to digital converters are not meant to code the digital traffic. An example of coding is Dolby Digital coding, an audio compression standard that has gained

popularity for use in terrestrial broadcast and recording media. *See* application at 7:13-18. Of course, Dolby is only one example of coding. Tubman's system does not teach or consider "coding" or "decoding" because Tubman's system makes use of digitization only as a means of delaying one channel with respect to another. Tubman col. 9:4-41.

The Office Action asserts that Tubman's AcoustiPrompt player system (Figures 8-10); 4-channel audio player (54); a mixer (56) is a decoder for decoding a bitstream and producing a digital preferred audio signal and a digital remaining audio signal. Office Action p. 3.

Applicants disagree.

FIGS. 8, 9, and 10 fail to show a bitstream, which, by virtue of the output of the decoder, includes both a digital preferred audio signal and a digital remaining audio signal. The inputs to Tubman's stylized AcoustiPropmt player 56 are four channels 73, 74, 75, 76 from a four channel audio player 54. Even if these channels were digital, and there is no indication that they are, there is no teaching or suggestion that one of the four could contain a combined signal that could be decoded to produce a digital preferred audio signal and a digital remaining audio signal, as recited in claim 14.

FIGS. 9 and 10 add some details not shown in FIG. 8. Figure 9, however, merely shows a cassette player 54A with a four-track channel playhead. Tubman's cassette player does provide a bitstream that can be applied to a decoder to produce as its output, a digital preferred audio signal and a digital remaining audio signal, as recited in claim 14. FIG. 10 merely shows the mixer selection for an AcoustiPrompt playback device. Tubman fails to disclose each of the features of the present invention.

Miyashita fails to cure the deficiencies of Tubman. Miyashita relates to a karaoke reproducing apparatus that allows a user to specify one vocal part or both vocal parts of two parts when one piece of music selected from a plurality of pieces of music by the user is a multi-audio type, reproduces only instrumental accompaniment (karaoke) when both parts are specified, and reproduces the vocal sounds of an unspecified one of the two parts together with the instrumental accompaniment when only one part is specified. Miyashita fails to teach or suggest at least "a decoder for decoding a bitstream and producing as its output, a digital preferred audio signal and a digital remaining audio signal" as recited in independent claim 14.

Miyashita simply does not contemplate a preferred audio signal and a remaining audio signal.

See, e.g., Miyashita col. 2:40-50.

For all of the above-stated reasons, Applicants respectfully submit that independent claim 14 is allowable and the rejection of this claim should be withdrawn. It stands to reason that if independent claim 14 is allowable, then dependent claim 19, which depends from claim 14, is likewise allowable. Applicants respectfully request a notice to that effect.

The Office is hereby authorized to charge all required fees or credit any overpayments to Deposit Account 11-0600.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,



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